

G. R. S. App. F. IX-4]

✓
1943-43

File No. 136-42

Previous References.

S&A 173-41 (6-7). (S&A)

Serial Nos. 17-18

Later References.

PRESERVED

Preserve

GENERAL AND REVENUE SECRETARIAT

Serial Nos. two

Part B for June 1943

SUBJECT.

Benefit of Dearness Allowance
to Casual and Temporary labours
in the Railway Dept.

No. 71 63 44

2) 10-6-43

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2m bampsholles

Direct that no such benefit need be given
to such labours engaged for broken periods of less
than one month etc.

MS
2-7-43

From

The Comptroller

Letter No 433/B-II dated

Solicits the orders of Govt re:
grant of Dearness Allowance
temporary casual labour, on a
or monthly rate engaged for a mo
or less in the P.W. Dept.

The receipt of the
file on the subject of 'Dearness
Allowance' which has been sub
mitted to the Minister for Local and Self
and Public Health, may perha
be awaited.

Rs
21.1.43

1/5
JLJ
22/1

21/1

The Comptroller desires
have a ruling whether dearn
allowance is admissible in the
of (1) temporary casual labour
daily or monthly rate engaged for
month or less and (2) to have
definition re: the scope of the
words "casual labour".

Re (1) :-

In this case
the Auditor, Mysore State Rail
refers to two classes of

They are: (a) Temporary casual labour on daily or monthly wages engaged for a month or less and (b) temporary labour engaged for night festival and moonson gangs on monthly rates for more than a month.

The controller is of the opinion that these classes of labour are not entitled to the dearness allowance as they belong to the category of 'casual labour'.

It is submitted that the criterion for the grant of dearness allowance ~~does~~ appears to depend upon whether an individual is in receipt of a living wage or not in view of the rise in the cost of living due to the increase in the level of prices.

In instances in the case of garden watchmen, coolies, the wages are fixed on monthly basis and the rates have been the constant for a considerable period, thus these classes of labour are eligible to the dearness allowance. In such cases, wages have long been fixed without any reference to the

present level of prices of food-stuffs
Whereas in the case of 'casual
labour' used in the sense of labour
having been ~~inter~~ employed
intermittently for short periods,
(for instance, a brick-layer, employed
to construct a wall etc),
no dearness allowance is allowed.
For ~~the~~ ^{these} classes of labour naturally
demand varying rates of wages,
according to changed circumstances.
The wages themselves are fixed
by reference to the level prices
of food-stuffs. In other words,
dearness allowance is merged in
the wages to be given to the labourers.

8) If the above view is
acceptable, no dearness allowance
is admissible to the classes of
labour referred to by the Auditor
Mysore Railways.

9) Re (2) The definition of the
words 'Casual labour.'

~~For the reasons stated~~

10) It does not appear
to be safe to define the limit the

Dearness Allowance — to casual
2458 Labourers.

Continuation Sheet.

S J A File No. 136
Current No.

of L. 2

Page.

gave by trying to define the
scope of the word 'casual labour'
Because for they are ^{not} capable of
exact definition. Further there
are other factors to be taken into
account, for example, the nature
of work, the duration for which
the labour employed.

.. Sent for order

26/6

Dearness allowance is paid
as a ~~compensation~~ recompense for hardship
caused on account of ~~and~~ high prices
during an emergency, to employees, whose
remuneration was fixed ~~at~~ ^{on} scales of
pay founded on pre-war circumstances.
In the case of ~~these~~ temporary
or casual labour employed
intermittently for short periods,
the wages will be fixed at varying
rates according to circumstances
actually prevailing at the time of
employment on each occasion.

And the payment of dearness
allowance in such cases is
a double benefit not called for

The Comptroller's suggestion
in the penultimate sentence of his letter of 18.1.43
may be ~~also~~ perhaps accepted

D. S. V.

9/7/63

2458

The remarks upon Mr. Sec. will
be useful in the first instance

11/5
28/11/43

7/8/43

2/11/43

29/4/47

W.O. 120
RAILWAY SCOTT
10/11/43

Secretary

Railway Department

10/7/43

After the views expressed
by the Assistant Finance Officer vide para 12 -
in the case of casual labour employed
for periods not exceeding one
month at a time the Dearness
allowance may not be given -
vide para 1 of Comptroller's letter per
marked A.

10/11/43
16/11/43
17/11/43

14/5/45

Respectfully

In the light of the remarks of the
Secretary to Govt, in the Railway
orders are solicited as to the exact
scope of the term 'casual labour'

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I think we may agree with Mr
Seay's views to the effect that 'casual
'labour' engaged for broken periods of
less than one month need not be
given dearness all ^{ce}. Temporary
'labourers' employed continuously may
be given the benefit of dearness all ^{ce}.

Yes

7/8/5)

19/5-

20/5/43

For favour of approval
Dewan

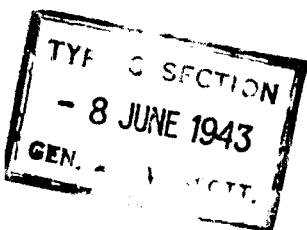
23/5/43

A draft is put up for orders
31/5/43

2/6
4/6

Issued
No 76344 8/10-6-43

Issued No 76344 dated 10-6-43



6/11/43



S & A 136-42-17

OFFICE OF THE COMPTROLLER TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

No. 433/B-II Bangalore, dated 18th January 1943-

From

M. VIRARAJA URS, Esq., B.A., B.L.,
Comptroller to the Government of
His Highness the Maharaja of Mysore,
BANGALORE.

To

Rajasevaprakashta

A.N. Raghavachar, Esq., M.A.,
Financial Secretary to the Government
of Mysore, Bangalore.

Sir,

Dearness allowance to casual and temporary labour
in the Railway Department.

Adverting to correspondence ending with Government Order
No. Fl. 3717/S. & A. 136-42-9 dated 4-1-43 conveying orders of Government
in respect of points of doubts felt by this office in the application
of Government Order No. Fl. 2156-2215/S & A. 136-42-1 dated 25-9-42
sanctioning the enhanced rates of dearness allowance, I have the
honour to state that the Auditor, Mysore State Railways, has in his
D.O. letter No. R/X/116 dated 11-1-42 (copy enclosed for information)
requested me to give a ruling whether dearness allowance is admissible
in the case of (i) temporary casual labour on daily or monthly rate
engaged for a month or less and (ii) to define the scope of the words
"Casual labour."

In regard to point 10 of the annexure to Government Order dated
4-1-43, Government have directed that the principle enunciated in
the Government Order No. Fl. 7346/S & A. 173-41-7 dated 8-6-42 which
allows dearness allowance to labourers paid on nominal rolls as in
the case of Railway Department may be extended to enhanced rates of
dearness allowance. In para 13 of the same annexure Government have
directed that labourers engaged on casual labour are not entitled
this allowance. A doubt is felt whether the classes of labour referred
to by the Auditor in his letter have to be brought under Item 10
of the annexure. I am of opinion that these two classes of labour:

D.O.No.R/X/116 dated 11th January 43 from the Auditor, Mysore State Railway, Mysore, to the Comptroller of Mysore, Bangalore.

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Re: payment of dearness allowance to casual and temporary labour in the Railway Department.

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With reference to correspondence ending with this office letter No.2250 dated 6th January 1943, I write to state that it was the practice in the Railway Department to extend the benefit of dearness allowance to all whole time employees including temporary labour whether paid at monthly or daily or piece work rates. Kind reference is invited to this office letter No.XA 3585 dated 20-4-42 in reply to your letter No.561/B.II dated 12th February 42 in this connection requesting to intimate the practice in the Railway Department regarding temporary labour. In his letter No.3921 dated 10/12th October 42 (copy enclosed) our Chief Engineer requested me to intimate whether the enhanced dearness allowance rates sanctioned in G.O.No.RS 874-77-1 Ry.F.42-43 dated 23rd September 1942 to the employees of the Mysore State Railway except for the clerical staff with effect from 1st September 1942 were admissible to the following classes of labour employed in his department:-

Temporary casual labour on daily or monthly rate engaged for a month or less.

Temporary labour engaged for night patrol and monsoon gangs on monthly rates for more than a month.

At this stage, a copy of your letter No.221/B-II dated 10th October 1942 to the Financial Secretary to Government with copy of its enclosures regarding a list of points and tentative instructions issued in respect of them for allowing the dearness allowance in audit or otherwise was received on 14th October 42. In this office letter No.XA 1783 dated 1st December 1942, your ruling was sought for in the matter of admissibility or otherwise of dearness allowance to the labour referred to in our Chief Engineer's letter treating such labour on the analogy of item 13 of the list of audit points relating to casual labour employed in the Electrical Department received with your letter of 10th October 1942 as the labour under question was designated by him as Temporary casual labour. Bringing this labour under item 1 also would have been of no avail as the point was reserved for orders of Government by you due to enhancement of the rates. It was replied to in your letter No.391/B-II dated 17/18th December 1942 that specific orders of Government on points Nos.12 and 13 of the list have to be awaited for allowing the dearness allowance to the above classes of labour i.e., those which had been referred to you for a ruling in this office letter of 1st December 42. I have also reported in my No.XA. 1212 dated 6-1-43 regarding the inapplicability of point 12 to the Railway Department.

In the meanwhile, I am in receipt of G.O.No.Fl.3717/S.& A. 136-42-9 dated 4-1-43 approving your instructions on the above subject as indicated in the annexure, a copy also having been received under cover of your letter No.407/B-II dated 5th January 43 for my information and guidance. It is seen from para 10 of the list that the principle enunciated in my letter No.XA.3585 dated 20-4-42 in the matter of the grant of Dearness allowance even in the case of labourers paid on nominal rolls irrespective of the length of service has been accepted by Government in their No.Fl.7346/S.& A.173-41-7 dated 8-6-42, copy of which has not been received in this office. I shall be obliged if you will kindly intimate whether in the light of Government Orders, item 10 of the list has to be made applicable to the classes of labour referred to by our Chief Engineer, in which case no further orders of Government seem necessary for the grant of dearness allowance to these labourers also, or is this labour to be brought under item 13 of the list in which case these will have to be put on a par with casual labour of the Electrical Department and therefore will not be entitled to dearness allowance as per orders of Government. If the classes of labour enumerated in our Chief Engineer's letter are to be dealt

with under item 13 of the list, a clear definition of the word Casual labour either with reference to the period during which or the purpose for which labour is employed or both is necessary for guidance of audit.

In this connection I may say that the final ruling to be given in respect of labour of the Engineering Department will hold good for the Loco and other Departments also employing casual and temporary labour. As the decision to be taken in this case is likely to be of great consequence to the Department on the Administrative side, your ruling in the matter is requested by the return of post.

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Letter No.3921 dated 10/12th October 42 from the Chief Engineer, Mysore State Railway, Mysore, ~~XXXXXX~~, to the General Manager, Mysore State Railway, Mysore, and copy to the Auditor, Mysore State Railway, Mysore.

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re: Dearness allowance.

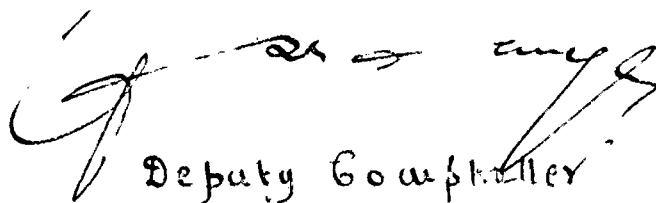
I request you to kindly intimate whether the allowance sanctioned in G.O.No.15.374-77 dated 23-9-42 is admissible to the following classes of employees in this department:-

Temporary casual labour on daily or monthly rate engaged for a month or less.

Temporary labour engaged for night patrol and monsoon gangs on monthly rates for more than a month.

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= C o p y =


Deputy Comptroller



SHA 136-42-18

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10 No 76344 / 10-6.

The controller

Sir,

with reference to your

letter No 1.33/B-II dated

18-1-43 regarding the grant

of Dearness Allowance to

Casual and temporary

labour in the Railway

Dept, I am directed to

state that "Casual

labour" engaged for

broken periods of less than

one month need not be free

for ~~granted~~ ~~allowance~~

~~granted~~ ~~only~~ dearness

allowance, while temporary

labourers employed

continuously be paid

the allowance. The ~~two~~

classes of labour require

in your letter under

advice may kindly

be considered in the

light of the above rule

and that temporary labourers
employed continuously
may be given the
benefit of dearness
allowance.

O.N.
has perhaps be
omitted as
this may be implied
& taken a sequence
of the previous sent.

Be the to put it
M

for M

for J. L. Secy

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